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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

In re Application of: Lee et al.

Serial No.: 09/837,297

Filed: April 19, 2001

For: Hepatitis B Virus Vectors For Gene Therapy

Art Unit: 1648

Examiner: Foley, Shanon A.

Atty. Docket: 0257-0003

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated October 2, 2003, requesting an election of claims in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the claims of **Group 1 (Claims 1 to 10), with traverse**. Applicants understand that this election is being made to aid the Examiner in conducting a search and examination of the claimed subject matter, and is not to be construed as limiting the scope of the claims.

This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. Applicants reserve the right to file one or more divisional applications should the restriction be considered final. Accordingly, reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

REMARKS

Reconsideration and withdrawal of the Examiner's requirement for restriction is respectfully requested. Applicants respectfully traverse this restriction requirement for the following reasons.